

## **BILL ANALYSIS**

H.B. 1209  
By: Rodriguez  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that there is a need for additional documentation options for family violence survivors seeking to terminate a residential lease without penalty in order to leave a dangerous situation. H.B. 1209 seeks to address this issue by expanding the allowable documentation for termination of a lease to include a magistrate's order for emergency protection or a copy of documentation of the family violence.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1209 amends the Property Code to include a copy of the following among the documentation that a tenant may provide to a landlord or a landlord's agent to terminate the tenant's rights and obligations under a lease and to vacate the dwelling and avoid liability for future rent and any other sums due under the lease for terminating the lease and vacating the dwelling before the end of the lease term:

- a copy of a magistrate's order for emergency protection for the purposes of protecting a tenant or an occupant of a property from family violence; or
- a copy of documentation of the family violence from a licensed health care services provider who examined the victim, a licensed mental health services provider who examined or evaluated the victim, or an individual who provided family violence services to the victim through a family violence center authorized to provide those services.

H.B. 1209 authorizes a tenant to exercise the right to terminate the lease if the family violence is committed by a cotenant or occupant of the dwelling by providing such documentation to the landlord or the landlord's agent and expressly does not require the tenant who exercises such a right to provide written notice of termination of the lease to the landlord on or before the 30th day before the date the lease terminates.

### **EFFECTIVE DATE**

September 1, 2019.